

This Document Prepared By:
Smith, Phillips, Mitchell & Scott, LLP
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Hernando, MS 38632
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5/11/05 4:07:22
BK 499 PG 327
DESOTO COUNTY, MS
W.E. DAVIS, CH CLERK

**KEITH E. GAGNE and wife,
MARYANNE GAGNE**

GRANTORS

to

WARRANTY DEED

**DON C. PROFFITT and wife,
CARLA D. PROFFITT**

GRANTEES

For and in consideration of the sum of Ten Dollars (\$10.00) cash in hand paid and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, We , **KEITH E. GAGNE and wife MARYANNE GAGNE**, do hereby grant, bargain, sell, convey and warrant, unto **DON C. PROFFITT and wife CARLA D. PROFFITT**, as tenants by the entirety with full rights of survivorship and not as tenants in common, all of our right, title and interest in and to the property located and situated in DeSoto County, Mississippi, and more particularly described as follows:

INDEXING INSTRUCTION: Property located in the Northeast Quarter of Section 21, Township 3 South, Range 9 West, DeSoto County, Mississippi.

1.56 acres (67,848 sf) in the Northeast Quarter of Section 21, Township 3 South, Range 9 West in DeSoto County, Mississippi and a non-exclusive, perpetual, ingress and egress easement containing 0.1185 acres (5161 sf) both more particularly described as follows:

1.56 acres (67,848 sf) in the Northeast Quarter of Section 21, Township 3 South, Range 9 West in DeSoto County, Mississippi. Said property being that property recorded in Deed Book 304, Page 486, and being a portion of that property recorded in Deed Book 236, Page 600 in the office of Chancery Clerk, DeSoto County, Mississippi. Said property is described as follows:

Commencing at the Northwest corner of the Northeast Quarter of Section 21, Township 3 South, Range 9 West in DeSoto County, Mississippi. Thence N 84° 32' 00" E - 997.25' to a point. Thence N 85° 37' 00" E - 340.83' to a point . Thence S 07° 45' 00" E - 1320.00' to the Southwest corner of the Northeast Quarter of the

Prepared

Northeast Quarter of Section 21. Thence N 84°31'00" E - 1326.49' to a point in the centerline of Mississippi Highway No. 301. Thence S 06° 16' 36" E - 590.03' along the centerline of said highway to a point, said point being identified by an offset 3/8" rebar with a tee post marker of S 80° 54' 39" W - 30.00', said point being the Northeast corner of said 1.56 acre tract, and said point being the Point of Beginning. Thence S 06° 16' 36" E - 136.84' along the centerline of said highway to a point. Thence continue along said centerline S 10° 32' 00" E - 107.71' to a point, said point being identified by an offset 3/8" rebar with a tee post marker at S 81° 44' 43" W - 30.00'. Thence S 81° 44' 43" W - 137.10' to a 3/8" rebar at a fence line. Thence N 16° 37' 52" W - 58.10' along said fence line to a 3/8" rebar with a tee post marker. Thence S 72° 20' 09" W - 177.68' to a 3/8" rebar with a tee post marker at a fence line. Thence N 04° 18' 01" W - 211.99' along said fence line to a 3/8" rebar at a fence corner. Thence N 80° 54' 39" E - 306.70' to the Point of Beginning.

SUBJECT TO A RIGHT OF WAY EASEMENT FOR MISSISSIPPI HIGHWAY NO. 301.

ALSO, a non-exclusive, perpetual, ingress and egress easement containing 0.1185 acres (5161 sf) is expressly included herein. Said easement being a portion of that property recorded in Deed Book 236, Page 600 in the Office of Chancery Clerk, DeSoto County, Mississippi. Said easement is described as follows:

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This conveyance is made subject to all road rights of way, public utility easements, restrictive covenants, zoning and subdivision regulations and health department regulations in effect in DeSoto County, Mississippi.

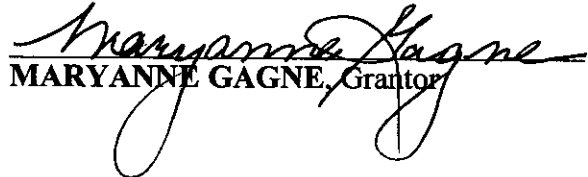
KEITH E. GAGNE and wife MARYANNE GAGNE reserve a vendor's lien on said property in the sum of \$115,000.00 being the unpaid principal balance of the purchase price of said

property, which sum is evidenced by a Promissory Note and also secured by a Purchase Money Deed of Trust on said property of even date herewith executed by the Grantees in favor of the Grantors and recorded on or about the date of the recording of this deed in the Office of the Chancery Clerk of DeSoto County, Mississippi. The satisfaction and cancellation of said Deed of Trust shall constitute the satisfaction and cancellation of said vendor's lien. Said unpaid principal sum is due and payable in amortized monthly installments of principal and interest over a period of thirty (30) years with a final installment due date of September 1, 2034, all as more fully set out in said Deed of Trust.

Taxes for the year 2005 will be prorated as of the date of closing. It is agreed and understood that the taxes for the current year have been prorated as of this date on an estimated basis, and when said taxes are actually determined, if the proration as of this date is incorrect, the Parties hereto agree to pay on a basis of an actual proration. Possession is given with delivery of this deed.

WITNESS OUR SIGNATURES, this the 9th day of May 2005.

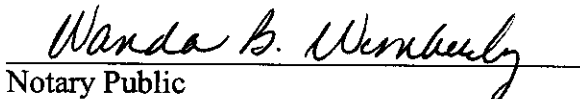

 KEITH E. GAGNE, Grantor


 MARYANNE GAGNE, Grantor

STATE OF MISSISSIPPI
 COUNTY OF DESOTO

Personally came and appeared before me, the undersigned authority in and for the State and County aforesaid, the within named **KEITH E. GAGNE** and wife **MARYANNE GAGNE**, who acknowledged that they freely and voluntarily signed and delivered the above Warranty Deed on the date therein mentioned and for the purposes therein expressed.

GIVEN under my hand and official seal of office this the 9th day of May 2005.


 Notary Public

(SEAL)

My Commission Expires: 9-5-2007

Grantor Address: 4846 Stone Cross Drive, Olive Branch, MS 38654
Wk: 662-895-6560 Hm: 662-890-9333

Grantee Address: 3421 Highway 301 South, Hernando, MS
Wk: 662-429-0304 Hm: 662-429-1914

PROPERTY SURVEY : KEITH & MARYANNE GAGNE

(ref: survey plat with revised date of May 03, 2005)

THIS IS TO CERTIFY THAT WE HAVE SURVEYED A PLOT OF LAND FROM PHYSICAL FEATURES FOUND ON THE GROUND AND DEEDS OF RECORD AS SHOWN AND DESCRIBED HEREIN. THIS PLAT IS A TRUE AND CORRECT EXEMPLIFICATION OF A CLASS B SURVEY. ACCORDING TO NATIONAL FLOOD INSURANCE PROGRAM FIRM MAP NO. 28033C 0095D DATED MAY 3, 1990, THIS PROPERTY IS NOT LOCATED IN A FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) IDENTIFIED FLOOD HAZARD ZONE.

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I R JENKINS
PE & PLS
MS # 4013, 1895

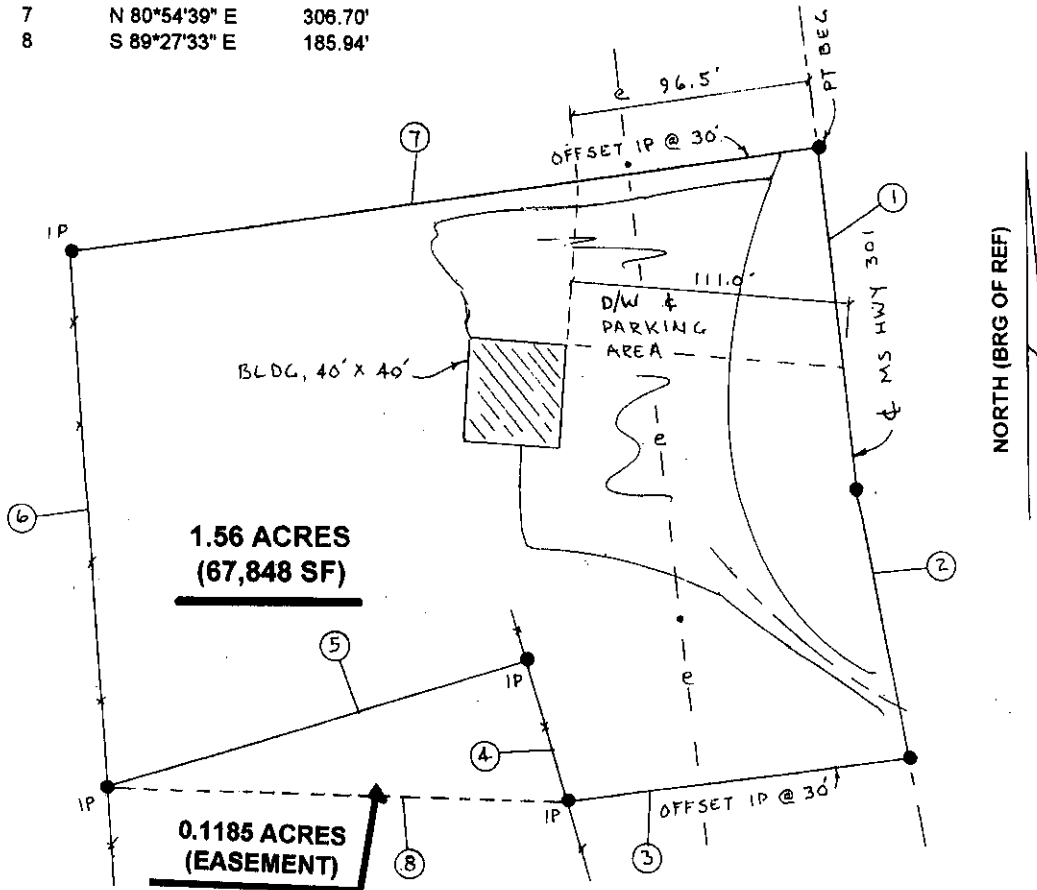
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REVISED
MAY 03, 2005



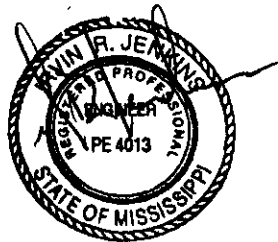
JENKINS & SON
ENGINEERING & LAND
SURVEYING
COLDWATER MISS

PROPERTY SURVEY : KEITH & MARYANNE GAGNE

<u>LINE DESIGNATION</u>		
<u>LINE NO.</u>	<u>BEARING</u>	<u>DISTANCE</u>
1	S 06°16'38" E	136.84'
2	S 10°32'00" E	107.71'
3	S 81°44'43" W	137.10'
4	N 16°37'52" W	58.10'
5	S 72°20'09" W	177.68'
6	N 04°18'01" W	211.99'
7	N 80°54'39" E	306.70'
8	S 89°27'33" E	185.94'



I R JENKINS
 PE & PLS
 MS # 4013, 1895
 JULY 25, 2003
 SCALE: 1" = 60'
 REVISED
 MAY 03, 2005



JENKINS & SON
ENGINEERING & LAND
SURVEYING
COLDWATER MISS